IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 12TH DECEMBER 2007 / 21ST AGRAHAYANA 1929

WP(C).No. 35115 of 2007(E)

---

PETITIONER:

---

M/S.SIVA PHARMACEUTICALS,
KOMBODINJIMACKAL, THAZHEKKADU P.O.,
THRISSUR DISTRICT REP. BY ITS MANAGING PARTNER,
SHRI.P.A.JOBAI, S/O.ANTONY.

BY ADV. SRI.C.K.ABDUL RAHIM

RESPONDENTS:

---

1. STATE OF KERALA, REP. BY ITS SECRETARY TO LOCAL SELF GOVERNMENT DEPARTMENT, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. ALOOR GRAMA PANCHAYAT, KALLETTUMKARA (P.O.), IRINJALAKUDA, THRISSUR DISTRICT, PIN - 680 683.

3. THE SECRETARY, ALOOR GRAMA PANCHAYAT, KALLETTUMKARA (P.O.), IRINJALAKUDA, THRISSUR DISTRICT, PIN - 680 683.

4. THE MEDICAL OFFICER, PRIMARY HEALTH CENTRE, ALOOR, KALLETTUMKARA (P.O.), IRINJALAKUDA, THRISSUR DISTRICT, PIN - 680 683.

5. GEORGE, S/O.CHAKKUNNI, PUNNELIPARAMBIL HOUSE, NEAR KOMBODINJIMACKAL PARISH HALL, KUZHIKKATTUSSERY, THAZHEKKADU (P.O.), INRINJALAKUDA, THRISSUR DISTRICT.

R1 & R4 BY SRI.K.J.MOHAMMED ANZAR, SR. GOVT. PLEADER.
R2 & R3 BY SRI.PHILIP T. VARGHESE, SC.
R5 BY ADV. SRI.T.N.MANOJ.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 12/12/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**PIUS C. KURIAKOSE, J.**

---

W.P.(C) No. 35115 OF 2007

---

Dated this the 12th day of December, 2007

**JUDGMENT**

Heard Sri.C.K.Abdul Rehim, counsel for the petitioner, Sri.Philip.T.Varghese for the Panchayat and Sri.K.J.Mohammed Anzar, learned Government Pleader. Heard Sri.T.N.Manoj, counsel for the 5th respondent also. Mr.Rehim submitted that Ext.R2(e) is yet to be received by the petitioner. He submitted further that the petitioner will be prepared to comply with all the directions of the Panchayat given under Ext.R2(e). The Writ Petition is disposed of issuing the following directions:

The petitioner is directed to comply with all the directions in Ext.R2(e) issued to him by the Panchayat. Once he becomes confident of having satisfactorily complied with all those directions and that the working of his unit does not cause any pollution to the water in the well of 5th respondent, he will file a report before the Secretary of the Panchayat. On receiving that report, the Secretary of the Panchayat will issue hearing notice to the petitioner, 5th respondent and anybody else who according to the Secretary of the Panchayat is concerned in the matter and take a decision on the application for renewal of licence submitted by the petitioner. The decision as directed above shall be

taken within three weeks of the submission of compliance report by the petitioner. I also record the submissions of Mr.Rehim that unused and time expired medicines which are stored in the premises of the petitioner will be removed so as to avert any injury or nuisance to the neighbours on account of the same.

**PIUS C. KURIAKOSE, JUDGE**

btt